

Craig S. Friedman (CF-1988)  
Matthew W. Lampe (*pro hac vice*)  
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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARIA JACKSON,

Plaintiff,

-against-

THE SCOTTS COMPANY

Defendant.

08 Civ. 1064 (LAK)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE, that upon the annexed Declaration of Craig S. Friedman, dated July 30, 2008, together with the exhibits thereto, and the accompanying memorandum of law, Defendant The Scotts Company LLC (incorrectly named in the Complaint as “The Scotts Company”) will move this Court, before the Honorable Lewis A. Kaplan, United States District Judge, United States Courthouse, 500 Pearl Street, New York 10007, pursuant to Federal Rule of Civil Procedure 37(a)(5)(A) for attorneys’ fees and expenses against Plaintiff and Plaintiff’s counsel, Sandra Frelix, Esq.

Dated: July 30, 2008

JONES DAY

/s/ Craig S. Friedman

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